

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-2112

James E. Horvath,

Appellant,

v.

Don Bourne, individually; Judy Duvall,
individually; Mary Bradley,
individually; Tish Rehm, individually;
Ashlea Kilburn, individually; William
F. Smith, III, individually; Mavis Neal,
individually,

Appellees.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: September 7, 2005
Filed: November 7, 2005

Before MURPHY, COLLOTON, and BENTON, Circuit Judges.

PER CURIAM.

James E. Horvath appeals the district court's¹ dismissal of his 42 U.S.C. § 1983 action. After de novo review, see Charchenko v. City of Stillwater, 47 F.3d 981, 982-

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas.

83 (8th Cir. 1995), we affirm because Horvath's claims were barred either by the Rooker-Feldman² doctrine, see Exxon Mobil Corp. v. Saudi Basic Indus. Corp., 125 S. Ct. 1517, 1523, 1526 & n.8 (2005) (Rooker-Feldman doctrine recognizes that with the exception of habeas corpus petitions, 28 U.S.C. § 1331 does not allow district courts appellate jurisdiction over state-court judgments), or by res judicata, see id. at 1527 (federal court has to give same preclusive effect to a state-court judgment as another court of that State would give); Wells v. Ark. Pub. Serv. Comm'n, 616 S.W.2d 718, 719 (Ark. 1981) (elements of res judicata). See 8th Cir. R. 47B.

²See Rooker v. Fid. Trust Co., 263 U.S. 413 (1923); D. C. Court of Appeals v. Feldman, 460 U.S. 462 (1983).